


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

TERRY PERKINSON,	)	
	)	
Plaintiff,	)	Civ. No. 5:23-cv-00461-D-BM
	)	
v.	)	
	)	
MARTIN O' MALLEY <sup>1</sup> ,	)	
Commissioner of Social Security,	)	
	)	
<u>Defendant.</u>	)	

**ORDER**

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing Defendant's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant's motion, with Plaintiff's consent, to remand this case for further administrative proceedings, the Court hereby remands this case to Defendant, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings, including offering Plaintiff an opportunity for a hearing. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Shalala v. Schaefer*, 509 U.S. 292 (1993).

SO ORDERED. This the 17 day of January, 2024.

  
\_\_\_\_\_  
JAMES C. DEVER III  
United States District Judge

<sup>1</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).